

REMARKS

Reconsideration of the Office Action is respectfully requested.

In the Office Action, reference was made to the lacking serial numbers for some of the applications discussed in the application. In the foregoing specification revisions the serial numbers that have become available have been inserted in the application. No new matter is submitted to have been presented with these updates of the referenced applications now that the serial numbers are available.

In the Office Action claims 3 and 4 were rejected under 35 U.S.C. §112, second paragraph as being considered indefinite. This rejection is respectfully traversed. Claim 3 references a longitudinal axis of the spindle coinciding with the roll feed out axis. This sets the first axis position and the subsequent reference to “said longitudinal axis” is again in reference to this position where the axis of the spindle coincides with the roll feed out axis. Thus the indication that the film roll replacement position axis is 25 degrees removed from “said longitudinal axis” is respectfully submitted to be definite as presented. As an example, reference is made to Figures 12, 15, 15a and 17 showing an embodiment of the invention featuring hinge bracket 240 mounted on the support so as to be free to rotate about the support toward the operator as shown. For example, Figure 15 shows both the feed film location (transverse to the face of the drawing sheet) and a loading location for the spindle directed parallel to the face of the drawing sheet. The claimed “at least 25 degrees” references spindle axes options originating at a location falling between the film feed spindle position and the 90 degree load position option shown in Figure 15. Also, in reference to the discussion about the “more than 90 degrees”, the rotation of the spindle (not the knob as suggested in the Office Action) is not limited to 90 degrees but can extend further around the support structure by way of the connection (e.g., a notched region in the support mount or in the hinge bracket or in the hinge design itself, etc.)

In the Office Action claims 1, 5-6 and 8-10 were rejected as being considered anticipated by Erny. Reconsideration of these rejection in light of the discussion to follow is respectfully requested.

Current independent claim 1 recites that the spindle is movable along a horizontal plane in going from a feed out state to a loading state with that movement facilitating an unloading and reloading of the film prior to replacement back to the feed out location. Erny describes rotation

axis 10 for support 11 but fails to describe how the roll is oriented relative to the intended use and whether the arrangement is such that the rotation will provide easier access relative to the operator for film loading (e.g. the film feed roll out can be just as easily accessible as any position). As described in the background of the present invention, when dealing with film bag rolls the weight can be excessive and can generate back problems under the current state of the art which fails to provide an adjustable spindle like that of claim 1 of the present invention. Accordingly withdrawal is respectfully requested.

Claim 6 has been rewritten to be in independent format and includes reference to the handle member itself providing axial blockage to the removal of the film roll. A review of Erny reveals that the axial pull out of the knob is relied upon to implement the roll securement latches, and thus lacks the handle itself as an axial blockage member.

Claim 8 has been rewritten in independent fashion with a portion removed and placed into the dependent claims. Claim 8 references a latch for latching the spindle into the film feed mode with an example of the same having been described above relative to the 35 U.S.C. §112 rejection. The Office Action references the latch associated with roll retention but claim 8 is directed instead at spindle latching. A review of Erny reveals that it entirely fails to disclose or suggest a latch for locking the spindle in position relative to a support.

Claim 10 has been rewritten into independent fashion as originally presented and describes the unique arrangement of the present invention which provides two different diameter mounting surfaces with the diameter differential being arranged to preclude movement of a roll onto the spindle when not properly oriented (the wrong core insert being inserted first). A review of Erny reveals that the tapered portion is capped over such that the insertion diameter is the same for any roll insert and thus it fails to present an arrangement like that set forth in claim 10. Thus all of claims 1, 5-6 and 8-10 are respectfully submitted to be allowed.

Claims 1, 5-6 and 8-9 were rejected as being considered anticipated by Nakai et al. Nakai features a bobbin thread feed mechanism that has "traverse device 2" for positioning of the thread filament in sequence along the length of the bobbin to distribute thread build up. To accommodate for an increased diameter of that built up thread, the central axis of the bobbin support is shifted along an arc as represented in the bottom left corner of figure 1. Nakai thus also fails to present a spindle that is moved along a horizontal plane to facilitate the accessing of

the spindle by an operator.

As to claim 6, Nakai also fails to disclose or suggest a handle that is adjustable to provide an axial blocking function as its handle is like Erny in being an axial slide out handle.

Also, the rejection of claim 8 based on Nakai is also submitted to be in error as it, like Erny, fails to disclose a latch for latching the spindle. The latch for positioning of the roll on the spindle fails to teach the claimed arrangement of claim 8.

Claims 1-4 and 7 were rejected as being considered anticipated by Colson. Reconsideration of this rejection is respectfully traversed. Current claim 1 recites a spindle that is adjustable along a horizontal plane in going from dispense mode to easier access mode which can facilitate loading as by standing operator in front of the dispenser. The Colson reference relies upon a support structure that moves its coil loader about a vertical plane in accordance with the described practice of loading the heavy metal coils by vertically dropping about a vertically extending receiver. Accordingly, Colson fails to disclose or suggest the claim 1 invention.

Claim 7 of the present invention has been written in independent fashion and references a pair of telescopically sliding sleeves providing roll accommodation adjustment in the present invention which is not disclosed or suggested in the Colson reference.

The present invention also includes new dependent claims that present a further variance in scope of covered subject matter. The claimed subject matter is submitted to be supported by the original application and in full accordance with 35 U.S.C. §112.


Applicant reserves the right to file a divisional application directed to non-elected claimed subject matter as originally filed.

Rejoinder of the withdrawn dependent claims is also requested upon allowance of an elected base claim.

If for any reason any fee is deemed required relative to this filing, authorization is given to charge deposit account no. 02-4300 for such fee.

Respectfully submitted,
SMITH, GAMBRELL & RUSSELL, LLP

By:



Dennis C. Rodgers, Reg. 32,936
1850 M Street, N.W., Suite 800
Washington, DC 20036
Telephone: 202/263-4300
Facsimile: 202/263-4329

Date: October 11, 2005